

The finding by the Assistant Director that claimant has not carried her burden of proving that she met with personal injury by accident arising out of and in the course of her employment with respondent should be affirmed. The weight of the credible evidence persuades this trier of fact that the claimant's injury did not occur in the manner to which claimant testified. The Appeals Board finds the findings and conclusions enumerated in the Order of the Assistant Director to be accurate and appropriate and adopts same as its own findings as if specifically set forth herein.

**WHEREFORE**, it is the finding, decision, and order of the Appeals Board that the September 19, 1995 Preliminary Hearing Order of Assistant Director David A. Shufelt should be, and the same is hereby, affirmed.

**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of November 1995.

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BOARD MEMBER

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BOARD MEMBER

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BOARD MEMBER

c:     Roger D. Fincher, Topeka, Kansas  
       Clifford K. Stubbs, Lenexa, Kansas  
       David A. Shufelt, Assistant Director  
       Philip S. Harness, Director